

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MEDPOINTE HEALTHCARE INC.,

Plaintiff,

vs.

APOTEX INC. and APOTEX CORP.,

Defendants.

C.A. No. 06-164-SLR

**NOTICE OF SERVICE**

**PLEASE TAKE NOTICE** that on the 10th day of September, 2007, true and correct copies of (1) The Opposition Expert Report of Dr. Stephen R. Byrn; (2) The Opposition Expert Report of Dr. Richard N. Dalby; and (3) The Opposition Expert Report of Dr. Eli O. Meltzer were served, in the manner indicated, on counsel as follows:

**VIA OVERNIGHT COURIER**

Hartwell P. Morse, III  
Welsh & Katz, Ltd.  
120 South Riverside Plaza, 22<sup>nd</sup> Floor  
Chicago, IL 60606

**PLEASE TAKE NOTICE** that on the 12th day of September, 2007, true and correct copies of (1) The Opposition Expert Report of Dr. Stephen R. Byrn; (2) The Opposition Expert Report of Dr. Richard N. Dalby; and (3) The Opposition Expert Report of Dr. Eli O. Meltzer were served, in the manner indicated, on counsel as follows:

**VIA FIRST CLASS MAIL**

Richard L. Horwitz  
Potter Anderson & Corroon LLP  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 N. Market Street  
Wilmington, DE 19801

*Of Counsel:*

John M. Desmarais  
Peter J. Armenio  
Anne S. Toker  
KIRKLAND & ELLIS LLP  
Citigroup Center  
153 East 53rd Street  
New York, New York 10022  
(212) 446-4800

Dated: September 12, 2007



---

Frederick L. Cottrell, III (#2555)  
cottrell@rlf.com

Jameson A.L. Tweedie (#4927)  
tweedie@rlf.com

RICHARDS, LAYTON & FINGER P.A.  
One Rodney Square  
P.O. Box 551  
Wilmington, Delaware 19899  
(302) 651-7700

Attorneys for Plaintiff  
*MedPointe Healthcare Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 12, 2007, I served the foregoing on counsel as follows:

**BY HAND DELIVERY**

Richard L. Horwitz  
Potter Anderson & Corroon LLP  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 N. Market Street  
Wilmington, DE 19801

**VIA FEDERAL EXPRESS**

A. Sidney Katz  
Robert B. Breisblatt  
Steven E. Feldman  
Stephen P. Benson  
Welsh & Katz, Ltd.  
120 South Riverside Plaza, 22<sup>nd</sup> Floor  
Chicago, IL 60606



---

Jameson A.L. Tweedie(#4927)  
tweedie@rlf.com